

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 11:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Anthony Lauria, Senior Deputy Clerk.

**F036661 Charles R. v. Superior Court, Fresno; Dept. of Child. & Fam. Services**

Cause called and argued by James M. Caputo, Esq., counsel for petitioner and by Norman K. Otani, Esq., Deputy County Counsel, counsel for real party.

Cause ordered submitted.

The court adjourns.

**F036141 Schuh et al v. Dept. of Pesticide Regulation of the State of California**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F031393 Grubb & Ellis Co. v. Pirie et al.**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F031763 People v. Luna-Guevara**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F032432 Anacapa Oil Co. v. RDE Engineering, Inc. et al.**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**F036437      Meuylousa S., et al. v. The Superior Court of Fresno County; Fresno County  
Department of Children and Family Services**

The petition for extraordinary writ is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F035615      Riggs Ambulance Service v. Superior Court of Merced; Health Care  
Workers Union**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F031758      Reyes v. United Pacific Construction Company**

The judgment is reversed. Dibiaso, Acting P.J.

We concur: Thaxter, J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F034537      The People v. The Superior Court Stanislaus County; Gary**

The order to show cause is discharged and the petition for writ of mandate or other appropriate relief is denied. The order staying the dismissal order is vacated upon finality of this decision. Wiseman, J.

We concur: Dibiaso, Acting P.J.; Harris, J.

[CERTIFIED FOR PUBLICATION]

**F034703      In re Argel D., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F031084      People v. Manila, et al.**

The sentence for appellant Vongpanya is vacated. The matter is remanded for resentencing of Vongpanya following preparation and consideration of a new probation report. In all other respects, judgments are affirmed. Levy, J.

We concur: Thaxter, Acting P.J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F035104      In re Chantelle J., a Minor**

The portion of the dispositional order designating the adjudicated offense as one within section 707, subdivision (b), is set aside, and the juvenile court is directed to prepare an amended minute order clearly indicating the offense is not within section 707, subdivision (b). As so modified, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]